

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF DELAWARE**

*APR 11 2006
U.S. DISTRICT COURT
CLERK'S OFFICE*

In re: **USG CORPORATION, et.al.,
Debtors** | Chapter 11
| Jointly Administered
| Case nos. 01-2094 (JKF) through 01-2104(RJN)
| Re: Docket no. 10245/Agenda no.4, Hearing dated 3/27/06
| Docket no. 10704

**Appeal and Bill of Particulars and Objections to
Order Disallowing Asbestos Property Damage Proofs of CLAIMS NUMBERS 6027 and 6871
by Claimants MARILYN AND RAYMOND LEWIS
703 KINCAID STREET
HIGHLAND PARK, ILLINOIS 60035-5037**

Undersigned Claimants respectfully appeal the order disallowing asbestos property damage proofs of Claims numbers 6027 and 6871 on the following grounds:

1. The photographs previously tendered by claimants in support of their claims clearly and amply identify the manufacturer, depicting:
 - a. the unique logo USG,
 - b. the name UNITED STATES GYPSUM COMPANY,
 - c. the product name ROCKLATH, THE FIREPROOF LATH
 - d. the patent numbers: 6-11-12, 8-6-12, 2-10-20, 11-9-20, 8-28-21.
2. The product name "ROCKLATH" and the descriptive phrase "THE FIREPROOF LATH" have long been used by the Debtors to identify their products' asbestos fire-proof content.
3. The exact proportions and quantities of asbestos contained within Debtors' products are within the unique purview of the Debtors and best known to them.
4. Claimants emphasize and again state that CLAIM 6871 is an amended proof of claim filed under date of December 3, 2003 in the amount of \$50,000.00, and that since that date the sum required to correct the damages to the structure of their residence building has increased considerably.
5. Claimants have tendered copies of this document to each of the Special Service Parties named in Debtors' list earlier submitted to them.
6. Wherefore Claimants respectfully request this Court grant them the monetary damages requested and such other and further relief as is just and proper.

Date: April 6, 2006 at Highland Park, Illinois.

Marilyn Lewis
Marilyn Lewis

Raymond Lewis

Signed and sworn to before me this April 6, 2006

Notary Public



**UNITED STATES BANKRUPTCY COURT
DISTRICT OF DELAWARE**

In re:	:	
	:	Chapter 11
USG CORPORATION,	:	
a Delaware corporation, et al.¹	:	Jointly Administered
	:	Case No. 01-2094 (JKF)
Debtors.	:	
	:	Re: Docket No. 10245/Agenda No. 4
	:	Hearing Date: 3/27/06

**ORDER SUSTAINING DEBTORS' SIXTH PROPERTY DAMAGE
OMNIBUS OBJECTION AND DISALLOWING CERTAIN ASBESTOS
PROPERTY DAMAGE PROOFS OF CLAIM**

This matter coming before the Court on the Debtors' Sixth Omnibus Objection to and Motion to Disallow Asbestos Property Damage Proofs of Claim for Failure to Provide Product Identification Evidence ("Objection"); the Court having reviewed the Objection and having heard the statements of counsel regarding the relief requested in the Objection at a hearing before the Court (the "Hearing"); the Court finding that (a) the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334, (b) this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2), (c) notice of the Objection was sufficient under the circumstances; and the Court having determined that the legal and factual bases set forth in the Objection and at the Hearing are sufficient to establish just cause for the relief requested;

IT IS HEREBY ORDERED THAT:

1. The Objection is SUSTAINED and the motion to DISALLOW is GRANTED.

¹ The Debtors are the following 11 entities: USG Corporation; United States Gypsum Company; USG Interiors, Inc.; USG Interiors International, Inc.; L&W Supply Corporation; Beadex Manufacturing, LLC; B-R Pipeline Company; La Mirada Products Co., Inc.; USG Industries, Inc.; USG Pipeline Company; and Stocking Specialists, Inc.

2. The claims of the claimants listed on the attached Exhibits A, B, and C
attached hereto are DISALLOWED.

Dated: 3/27, 2006


K. Fitzgerald
UNITED STATES BANKRUPTCY JUDGE

Exhibit B

(1) Name of Claimant	(2) Claim Number	(3) Total Amount Claimed	(4) Reason for Proposed Disallowance
Dace, Bernice	3932	\$96,000.00	No Asbestos ID
Hollingshead, Robert	5772	\$0.00	No Asbestos ID
Lewis, Marilyn and Raymond	6027	\$20,000.00	No Asbestos ID
Lewis, Marilyn and Raymond	6871	\$20,000.00	No Asbestos ID

UNITED STATES BANKRUPTCY COURT
DISTRICT OF DELAWARE

Clerk of the Court
824 Market Street
Wilmington DE 19801
(302) 252-2900

Date: May 4, 2006

To: Peter Dalleo, Clerk
U. S. District Court, District of Delaware
U. S. Courthouse - 844 King Street
Wilmington DE 19801

Re: USG Corporation
Case No. 01-2094 JKF
AP-06-32

Enclosed please find the bankruptcy Record on Appeal # AP-06-32.

Sincerely,

David Bird, Clerk

By: /s/ Ken Brown
Deputy Clerk

Filing fee paid on
 Filing fee not paid

NOTE: The filing fee has not been paid and no designations or Statement of Issues on Appeal have been filed.

TRANSMITTAL SHEET FOR APPEAL SUBMITTED TO U.S. DISTRICT COURT

Case Number: **01-2094 JKF**

Deputy Clerk Transferring Case: Kenneth Brown 302 252 2900 x5126

Case Type: **Appeal - AP-06-32**

Order, Date Entered and Issues

Order Sustaining Debtors' Sixth Property Damage Omnibus Objection and Disallowing Certain Asbestos Property Damage Proofs of Claim. (related document(s)[10245](#)) Order Signed on 3/27/2006. (Attachments: # [1](#) Exhibit A# [2](#) Exhibit B# [3](#) Exhibit C) (LCN,) (Entered: 03/27/2006)

Debtors: USG Corporation

Counsel: Paul N Heath, Esq.

Richards, Layton & Finger
One Rodney Square
PO Box 551
Wilmington, DE 19899

Telephone: (302) 651 7700

Appellant(s): Marilyn and Raymond Lewis

703 Kincaid Street
Highland Park, IL 60035-5037

Counsel: Pro se

Telephone:

Appellee: USG Corporation

Counsel: Paul N Heath, Esq.

Richards, Layton & Finger
One Rodney Square
PO Box 551
Wilmington, DE 19899

Telephone: (302) 651 7700